

## **Enhancing EPA's Chemical Management Program**

At the direction of EPA Administrator Lisa P. Jackson, in parallel with announcing principles to strengthen US chemical management laws, EPA is initiating a comprehensive approach to enhance the Agency's current chemicals management program within the limits of existing authorities. This effort includes:

- New Regulatory Risk Management Actions
- Development of Chemical Action Plans, which will target the Agency's risk management efforts on chemicals of concern
- Requiring Information Needed to Understand Chemical Risks
- Increasing Public Access to Information About Chemicals
- Engaging Stakeholders in Prioritizing Chemicals for Future Risk Management Action.

### **New Regulatory Risk Management Actions**

The Agency is taking risk management actions on a number of chemicals, including lead, mercury, formaldehyde, polychlorinated biphenyls (PCBs), glymes, and certain carbon nanotubes. These actions include:

- Lead
  - Strengthening the lead paint work practice standards for renovation and remodeling, issued in 2008
    - Expand coverage and eliminate the "opt out" provisions
    - Require clearance testing after renovation
    - Address lead-safe work practices for public and commercial buildings
  - Initiating rulemaking under section 6 of TSCA to ban the use of lead weights in tires.
- Mercury
  - Initiating rulemaking under section 6 of TSCA that will phase out or ban the use of mercury in a range of switches, relays, measuring devices, and other products.
- Formaldehyde
  - Initiating rulemaking governing formaldehyde emissions from pressed wood products.
- PCBs
  - Initiating rulemaking under section 6 of TSCA to re-evaluate the TSCA PCB use and distribution in commerce regulations.
- Glymes
  - Initiating rulemaking under section 5(a)(2) of TSCA to require prior notification to the Agency of any new consumer use of monoglyme (CASRN 110-71-4), diglyme (CASRN 111-96-6), and EDGE (CASRN 629-14-1).
- Nano Materials – Carbon Nano tubes
  - Initiating rulemaking under section 5(a)(2) of TSCA to require protective measures to limit exposure or otherwise mitigate the potential unreasonable risk presented by two carbon nanotube chemical structures (P-08-177 and P-08-328).

## **Development of Chemical Action Plans**

EPA is developing chemical action plans which will target the Agency's risk management efforts on chemicals of concern. These action plans will be based on EPA's review of available hazard, exposure, and use information, and will outline the risks that each chemical may present and what specific steps the Agency will take to address those concerns.

EPA intends to utilize the full array of regulatory tools under TSCA to address risks, including authority to label, restrict, or ban chemicals under Section 6 of TSCA.

The initial list of chemicals that EPA is considering for action plan development includes:

- Benzidine dyes and pigments
- Bisphenol A (BPA)
- Penta, octa, and decabromodiphenyl ethers (PBDEs) in products
- Perfluorinated chemicals
- Phthalates
- Short-chain chlorinated paraffins

EPA anticipates completing and posting an initial set of four action plans in December 2009 and will complete and post additional chemical action plans at four-month intervals. EPA will initiate a stakeholder dialogue to address the prioritization of chemicals for future risk management action.

## **Requiring Information Needed to Understand Chemical Risks**

EPA will move quickly to ensure that the Agency has the hazard, use, and exposure data critical to prioritizing chemicals for review and making risk management decisions. As part of this effort, EPA intends to:

- Require that companies submit information to fill the remaining gaps in basic health and safety data on HPV chemicals.
- Make the reporting of chemical use information more transparent, more current, more useful, and more useable by the public.
- Require additional reporting on nanoscale chemical substances and consider how to address new and existing nanoscale substances under TSCA.

These activities will include a number of new actions under sections 4, 5, and 8 of TSCA.

- High Production Volume (HPV) Chemicals

The HPV Challenge Program challenged companies to submit basic screening level hazard data on HPV chemicals. Some HPV chemicals did not have sponsors for submitting health and safety data under the HPV Challenge program, and some of the sponsoring companies failed to submit all the data they had committed to provide on their

chemicals. EPA plans to fill the current gaps in health and safety data on HPV chemicals by:

- Publishing test rules under section 4 of TSCA on unsponsored chemicals and to fill current gaps in data.
  - Continuing to develop and post hazard characterizations. EPA is also posting new hazard characterizations on 100 HPV chemicals.
  - Initiating action to require notification and possible follow-up testing that would be triggered under significant new use rules under section 5(a)(2) on additional HPV chemicals.
- Inventory Update Reporting (IUR)  
The IUR requires companies to report production volume, processing, and use information on chemicals.
    - In early 2010, EPA will propose modifications to the IUR rule under section 8 of TSCA. EPA plans to propose a range of options for public comment to make the reporting of chemical use information more transparent, more current, more useful, and more useable by the public.
  - Nanoscale Chemical Substances  
Many nanomaterials are regarded as "chemical substances" under TSCA.
    - In January 2009, EPA released an interim report on the Nanoscale Materials Stewardship Program (NMSP), noting that a number of the environmental health and safety data gaps the Agency hoped to fill through the NMSP still exist. To address those gaps, EPA is developing:
      - A proposed rule under section 8(a) of TSCA to require companies to report data on existing uses, production volumes, specific physical properties, chemical and structural characteristics, methods of manufacture and processing, exposure and release information, and available health and safety data.
      - A proposed rule under section 4 of TSCA to require companies to test several manufactured nanomaterials for health and environmental effects.
    - EPA is also reviewing how to address nanoscale chemical materials under TSCA.

### **Increasing Public Access to Information About Chemicals**

The Agency intends to increase the public's access to information about chemicals. EPA is currently reviewing ways to make more information about chemicals more easily available to the public.

### **Engaging Stakeholders in Prioritizing Chemicals**

Prioritizing chemicals for future risk management action is the final component of this effort. EPA intends to formally engage stakeholders and the public in this discussion in the coming months through public notices and public meetings.